

USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>5-20-08</u>

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
STEVEN MANUEL,

Plaintiff,

- against -

BUCHANAN MARINE LP, et al,

Defendants.
-----X

08 Civ. 4468 (VM)

**ORDER FOR REASSIGNMENT
TO WHITE PLAINS**

VICTOR MARRERO, United States District Judge.

In reviewing the complaint filed in this matter, as well as the letter from plaintiff's counsel to the Court dated May 16, 2008, the Court notes that plaintiff Steven Manual ("Manuel") asserts that he is a resident of New Jersey; that defendant Buchanan Marine, L.P. is a Delaware limited partnership with its principal place of business in Connecticut; and Tilcon New York, Inc. ("Tilcon") is a Delaware corporation doing business in New York. The complaint indicates that the events giving rise to the claims asserted in the underlying action occurred as a result of injuries Manuel allegedly sustained by reason of defendants' negligence while Manuel was aboard a vessel owned or operated by Defendants. At the time of the injury the vessel was located at a facility of Tilcon on the Hudson River in Clinton Point, New York. It therefore appears that in whole or in major part this action arose in Rockland County, New York and that all or substantial parts of the material events, documents, persons and potential witnesses related to this action are located in Rockland County.

Accordingly, pursuant to Rule 22 of the Rules for the Division of Business Among District Judges, in the interest of justice and sound judicial administration, it is hereby

ORDERED that the Clerk of Court is directed to reassign this case to White Plains.

SO ORDERED.

Dated: NEW YORK, NEW YORK
19 May 2008


VICTOR MARRERO
U.S.D.J.

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May 16, 2008

VIA FAX: (212) 805-6382

Honorable Victor Marrero
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

**Re: Steven Manuel v. Buchanan Marine L.P. and Tilcon New York, Inc.
Civil Action No.: 08 CV 4468 (VM)(DF)**

Honorable Sir:

We represent plaintiff in the above entitled Jones Act matter. In response to the Court's inquiry, plaintiff resides in Keansburg, New Jersey which is located in Monmouth County. On April 23, 2008, he was employed by defendant Buchanan Marine, L.P. aboard the Tug DADDONA which is owned by defendant Tilcon New York, Inc. The accident occurred at the Tilcon facility located on the Hudson River, Clinton Point, New York.

Defendant Buchanan Marine L.P. is in the marine transportation business. It operates approximately 10 tugboats and 200 barges. Its main office is located in New Haven, Connecticut. Buchanan regularly transports cargo through the waterways in this District including New York Harbor, the East River, and the lower Hudson River.

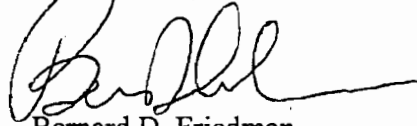
Defendant Tilcon New York, Inc. in addition to operating the facility on the Hudson River in Clinton Point, New York where the accident occurred, operates a stone recycling plant within this District located at 980 East 149th Street, Bronx NY 10455.

Honorable Victor Marrero
May 16, 2008
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If the Court requires any further information, please advise.

Respectfully yours,

FRIEDMAN, JAMES & BUCHSBAUM LLP



Bernard D. Friedman

BDF:ll